



## ANTI-TRAFFICKING TECHNICAL ASSISTANCE

### NIGERIA ANTI-TRAFFICKING ASSESSMENT APRIL 11- 27, 2005

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## List of Abbreviations

AAFID	Agency for African Families in Distress
AT	Anti-trafficking
EFCC	Economic and Financial Crimes Commission
GON	Government of Nigeria
ILO	International Labor Organization
ILO-IPEC	ILO-International Program on the Elimination of Child Labor
INL	Bureau for International Narcotics and Law Enforcement
IPO	Investigating Police Officer
IO	International organization
IOM	International Organization for Migration
NAN	News Agency of Nigeria
NAPTIP	National Agency for the Prohibition of Traffic In Persons and other Related Matters
NITF	National Investigation Task Force
NIS	National Immigration Service
NMC	National Monitoring Center
NGO	Non-governmental organization
NPA	National Plan of Action
NPF	Nigeria Police Force
OPDAT	Office of Overseas Prosecutorial Development Assistance and Training
SIDA	Swedish International Development Agency
SOW	Scope of Work
TIP	Trafficking In Persons
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime

## Executive Summary

### *Scope of the Assessment*

At the request of USAID/Nigeria, this anti-trafficking assessment was conducted from April 11-27, 2005 through the anti-trafficking technical assistance task order managed by Chemonics International Inc. and funded through the EGAT/WID office. The objective of the anti-trafficking technical assistance was to provide the relevant analysis and recommendations to assist the Mission in developing its anti-trafficking initiatives. The assessment was focused on the following four areas as set out by the Mission in the scope of work:

- Assessing the capacity of NAPTIP, including its ability to carry out its mandate
- Assessing the capacity of NAPTIP and key partner entities, including immigration authorities and police anti-trafficking units, to document and track investigations and prosecutions of alleged perpetrators of trafficking in persons
- Assessing the current status and operations of the Lagos shelter to determine the appropriate level of support USAID can provide to help sustain its operation
- Developing an inventory of efforts of other donor and local organizations to address TIP

The methodology used to conduct the assessment included a literature review of relevant studies, reports, news articles, and other information on trafficking in persons in Nigeria and extensive interviews with stakeholders resulting in this report and recommendations.

### *Country Background*

Nigeria is a source, transit and destination country for trafficked persons. The Government of Nigeria (GON) can not provide a current, reliable estimate of the number of persons trafficked annually, but available anecdotal information suggests the magnitude of the problem may be quite large.

Nigeria was placed on the U.S. State Department Tier 2 Watch List<sup>1</sup> in 2004 due in large part to the significant complicity of Nigerian security personnel in trafficking and the lack of evidence of increased efforts to address this problem. The State Department contends that Nigeria has the resources to combat trafficking, but has not committed adequate funding and personnel to fight the problem.

A number of socio-economic factors, including extreme poverty, large family size, lack of education, and lack of work opportunities all serve as vulnerability factors for trafficking. The practice of “fostering” where children are sent by their parents to live with someone in an urban

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<sup>1</sup> The U.S. State Department ranks countries annually, based on the extent of the government’s actions to combat trafficking. Countries are placed on tier two watch list whose governments do not fully comply with minimum standards. For more information on tier rankings and the standards see [www.state.gov/g/tip](http://www.state.gov/g/tip).

area to attend school has developed into a situation where children are abused and made to work long hours while being kept away from school. Children trafficked within the country and to some African countries often work as beggars, hawkers or domestic help, while some work on cocoa plantations and in stone quarries. Traffickers who target women and children are usually relatives, friends, neighbors, or persons known to the victim or the victim's family.

International trafficking appears to be more focused on adults, mostly women or older girls, who are recruited for sexual exploitation abroad. The international trade tends to be more organized than domestic trafficking, and involves a sophisticated network of persons, offering and receiving bribes to falsify travel documents. In contrast, internal trafficking appears to be less organized involving smaller groups of individuals. Repatriated international trafficking victims are very reluctant to participate as witnesses in prosecutions, fearing for their safety and that of family members, or wishing to avoid being stigmatized as victims of trafficking. Many victims blame the police and other law enforcement agents for interfering with their employment opportunities abroad and quickly look for other escape routes once they have been released from custody.

### *Anti-trafficking Responses*

In August of 2003, Nigeria enacted a comprehensive law on the prohibition of trafficking in persons. This law, the first of its kind in West Africa, created the National Agency for Prohibition of Traffic in Persons and other Related Matters, known as NAPTIP. NAPTIP's responsibilities include coordinating all laws on trafficking, enforcing those laws through investigation and prosecution, enhancing the effectiveness of law enforcement to suppress trafficking in persons, establishing and maintaining communication among agencies, and coordinating and supervising the rehabilitation of trafficked persons. NAPTIP is headquartered in Abuja with zonal offices located in three cities—i.e., Lagos, Benin City, and Kano. Professionally competent and motivated staff has been appointed to the agency; however, under funding and the lack of material resources has hampered NAPTIP's ability to complete its mandate. Over the past year the number of investigations increased to 42 with one trial leading to the first conviction under the new law.

NAPTIP's work is supported by the Nigerian Police Force, which has 12 anti-trafficking units, and the National Immigration Service, which has 14 anti-trafficking units. However, NAPTIP's ability to coordinate the work of these units or to communicate with and assist one another is quite limited. Lack of communication equipment, and most importantly electrical services to utilize that equipment where it does exist, contributes to this problem. Prosecution efforts are hampered by lack of funding and equipment needed to conduct proper investigations. The criminal justice system allows for repeated continuances and appeals, thereby frustrating witnesses and disrupting the normal flow of cases. Police officers are regularly rotated from jurisdiction to jurisdiction and may not be available to testify at trials due to lack of travel funds.

A 120 bed shelter is currently operating in Lagos under the management of NAPTIP. The facility was donated under a 10 year no-cost lease arrangement and renovated through funding provided by the US and Italian governments to the International Organization for Migration (IOM). The staff includes a shelter manager, a nurse, six counselors, a housekeeper, a cook, and ten security persons. A portion of the facility has been designated for a skills training area. However, this area

has not been equipped. At the time of the assessment there were 63 residents at the shelter, including 40 children from Niger State who were recently rescued from a refrigerated truck headed toward Lagos.

*Specific Findings and Recommendations:*

**A. Capacity of NAPTIP and Ability to Investigate and Prosecute**

NAPTIP has well-trained and motivated personnel who should be able to handle the tasks assigned to them given sufficient levels of support. NAPTIP is in a nascent stage, still organizing its operations and developing communications systems with partner agencies. It now employs 230 employees in the headquarters, zonal offices, and the two shelters in Lagos and Benin City.

The costs of lengthy investigations and prosecutions and the lack of funding for necessary equipment have hampered NAPTIP's ability to prosecute its cases. Suggested recommendations to increase NAPTIP's institutional capacity as well as its ability to investigate and prosecute cases include the following:

- √ Improved coordination of investigative activities among various agencies and led by NAPTIP
- √ Development of an operational plan/MOU with police, immigration, and state ministries of justice, clearly defining roles and responsibilities
- √ Specialized TIP and IT training for prosecutors, police, investigators, immigration officials and judges, including the development of specialized operations manuals for law enforcement and "bench books" for judges
- √ Appropriate equipment for communications, surveillance and data collection (i.e. computers, generators, multi-band radios, V-Sat.)

A top priority should be building the institutional capacity of NAPTIP so that it can assume its role as coordinator of all TIP related activities in the country. Specifically, NAPTIP needs management and advocacy training. While the law enforcement agencies contacted during the course of this assessment reported good relations with NAPTIP, concerns were expressed over communication gaps and lack of clear roles and responsibilities. An operational plan must be developed between NAPTIP and the police, immigration, and attorney general's office to clearly define those boundaries. Until these roles and responsibilities are clearly defined the agencies will not be able to work together to ensure successful investigations and prosecutions. Specialized operations manuals on anti-trafficking investigations and prosecutions should be developed for use by law enforcement personnel. These manuals should provide step by step procedures for initiating and pursuing cases, as well as handling victims.

Once an operational plan is functioning and coordination has increased, additional training will be needed in areas such as victim protection, investigative methods, evidence gathering, and data collection. Additionally, computer and database training should be provided to all personnel working on anti-trafficking initiatives. It is equally imperative that equipment and computer systems are in place so that newly trained law enforcement officers can utilize their newly acquired skills. While the provision of equipment itself is vital to the investigative process, it is imperative that personnel are properly trained on the equipment before hand.

Once law enforcement personnel have been trained and can satisfactorily collect and manage evidence for cases, prosecutors will need to receive specialized TIP training. NAPTIP prosecutors, as well as prosecutors in the attorney general's office who handle these cases, need to be proficient in the nuances of the new TIP law, handling of evidence, and treatment of victims. As it is difficult to get victims to testify, prosecutors need to be better prepared to pursue cases in the absence of victim testimony. It is also vital that prosecutors understand the psychology of victimization, particularly for children, in order to protect the witnesses and encourage their participation. While it is inappropriate to provide funds directly to trafficking victims as part of TIP programming, NAPTIP should be encouraged to set aside appropriate levels of funding to ensure witness safety and provide for victim's and investigating officer's (transferred to other locations) travel expenses during the trial.

Given that only one case has been completed, judges have little experience with TIP cases and need training on the new anti-trafficking law, the psychological implications, handling victim-witnesses, and evidentiary issues. As judges may only handle these cases sporadically, a "bench book" should be developed to assist them in successful case management. A "bench book" is a how-to manual for judges that contains relevant laws, annotations to the law, commentary on the legal provisions, checklists for trial proceedings, special information on victims and psychological impact, and available resources including shelters, counseling services, NGOs and IOs for referral of services as needed by the court. These bench books should be provided to all judges who have jurisdiction over trafficking cases. While significant justice sector reforms are needed, including changes to the appeal system and standard for continuances, these reforms will come as part of a broader initiative and over a longer time span.

### *B. Lagos Shelter*

A significant amount of time and expense has already been invested in the Lagos shelter and the many services available there should be fully utilized by residents. NAPTIP is now managing the shelter and with minimal support should be able to ensure those needs are met. Some recommendations to support the shelter include:

- √ Training of staff, especially counselors in trauma and post traumatic stress – psychologist to oversee staff
- √ Equipping the skills training unit
- √ Providing in-door recreational facilities
- √ Providing supplemental funding for food, toiletries, and clothing as well as maintenance and fuel for vehicle and generator

The first priority for the shelter should be moving the NAPTIP zonal office staff to a separate location. A separate shelter manager should be hired and provided with management training, rather than having the NAPTIP personnel serving in this joint capacity. The next step should be to ensure that the shelter manager and counselors receive specialized trauma training related to trafficking, particularly post traumatic stress disorder (PTSD). The counselors at the center, while university trained, are not psychologists. A psychologist should be hired on at least a temporary



or as needed basis to oversee the work of these counselors and ensure that necessary levels of services and referrals are being provided.

Making the skills training unit operational will provide residents with a valuable way to utilize their time and improve their psychological well being. A room has been dedicated to this unit but the equipment and personnel are not yet available. This training program is essential to reintegration efforts and to prevent re-victimization. The skills training provided there should respond to market opportunities so that residents do not become frustrated by the lack of employment once trained. Job placement services should also be offered to assist residents in finding employment once they leave the facility. This is a good opportunity for a public-private partnership, in which private employers agree to hire properly trained workers from the shelter.

In-door recreational facilities should be provided as it is not possible for residents to go outside, given the location of the shelter. Participating in sports and games would improve the psychological well-being of the residents and help occupy a portion of their time. This is particularly important if children are to be housed at the facility, as was the case during the assessment visit.

Now that NAPTIP has assumed the management of the shelter it should be encouraged to fully fund the facility from its annual appropriated budget. However, until it is able to cover all expenses the shelter will need supplemental funding for items such as food, clothes, toiletries, fuel and maintenance. A plan should be developed with NAPTIP to assume all of the expenses as a step by step process over a period of two to three years.

### *C. Other relevant recommendations outside of Scope of Work*

During the assessment certain needs were recognized that did not fit specifically within the areas requested for analysis and recommendations in the scope of work. However, these concerns and recommendations are relevant to combating trafficking and the team felt it necessary to identify these needs. If additional funding is available for such activities, they could be conducted simultaneously with the efforts recommended above. They include the following:

- √ Public education programs for decision makers and vulnerable groups
- √ Advocacy training for vulnerable groups
- √ Research studies on internal trafficking, particularly of children
- √ Improving funding for witness support programs and investigations

It is difficult to address and combat issues that victims, themselves, do not perceive as problematic. There is a great need for expanded public awareness aimed at changing societal attitudes about trafficking. Awareness seems to vary widely among government officials, but generally appears to be at a low level. The support of top level officials, governors, local community leaders, and traditional leaders is imperative to combat trafficking.

NGOs should be trained to reach out to local leaders who have the authority to influence community member's behavior. This initiative should also focus on vulnerable groups, particularly secondary school children by initiating peer education and teacher training programs.

While the curriculum for secondary school is already extensive, training programs should be introduced as a lecture series rather than a full curriculum addition.

Very little research has been conducted in Nigeria to provide concrete data on the level of trafficking, trafficking patterns, vulnerability factors, or psychological impact. This is especially true regarding internal trafficking, particularly of children. Additional research could focus activities in regions where it is most needed, target the appropriate groups, and help to ensure that anti-trafficking programs are successful.

The lack of funding to cover witness expenses, both for victims and IPOs, has been noted previously. While direct funding for these expenses is not within the purview of USAID assistance, it is important to be aware of this need and its effect on investigations and prosecutions. Advocacy efforts could help to expand funding for NAPTIP to meet these needs, or to institute asset seizure programs to augment limited funds.

### *Conclusion*

Nigeria has put into place a number of mechanisms to support anti-trafficking efforts including legislation, an anti-trafficking agency, specialized law enforcement units, and victim shelter services. The next step is to ensure that those organizations are adequately trained and supported to complete their mandate. Given Nigeria's position on the Tier 2 watch list, USAID's TIP program needs to focus on improving investigations and prosecutions and enhancing the institutional capacity of NAPTIP to coordinate investigations, leading to more arrests, complete investigations and successful prosecutions. Once this is achieved, anti-trafficking efforts can then be expanded to increase prevention and protection efforts.

## SECTION I

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### Assessment Methodology

At the request of USAID/Nigeria, an anti-trafficking assessment was conducted from April 11-27, 2005 through the anti-trafficking technical assistance task order. This task order is managed by Chemonics International Inc. as a holder of the Women in Development Indefinite Quantities Contract (IQC) which is funded through the EGAT/WID office. The assessment team consisted of the Chief of Party for the USAID/WID Anti-trafficking Technical Assistance task order, Teresa Cannady and two Nigerian consultants, Professor Olusola Ehindero and Professor Bolaji Owasanoye.

As stated in the scope of work, the Mission wants to focus its support activities on investigation and prosecution, while continuing to support, on a more limited scale, prevention and protection activities. The objective of the anti-trafficking technical assistance was to provide the relevant analysis and recommendations for the Mission to more clearly identify investigation and prosecution needs and opportunities that will support Nigeria in meeting the U.S. State Department's Trafficking in Persons (TIP) performance benchmarks. The assessment was focused on the following four areas, as set out in the Mission's scope of work:

- Assessing the capacity of NAPTIP, including its ability to carry out its mandate
- Assessing the capacity of NAPTIP and key partner entities, including immigration authorities and police anti-trafficking units, to document and track investigations and prosecutions of alleged perpetrators of trafficking in persons
- Assessing the current status and operations of the Lagos shelter to determine the appropriate level of support USAID can provide to help sustain its operation
- Developing an inventory of efforts of other donor and local organizations to address TIP

Prior to arrival in Nigeria, the team reviewed pertinent literature and documents and identified interview candidates and data needed to complete the assignment. On the first day of the assessment, the team met with mission personnel to discuss the content of the investigation and deliverables associated with the Scope of Work (SOW). Over the course of the investigation, interviews were conducted with personnel from various governmental agencies, international organizations (IOs), non-governmental organizations (NGOs), and other relevant actors. One or more persons from the USAID/Nigeria's SO11 team attended almost all interviews with stakeholders. A power-point debrief was conducted at the conclusion of the assessment for all interested mission personnel. The presentation included background on the trafficking situation, positive developments, challenges, and recommendations in the areas outlined above.

This report represents the findings of the assessment in the four focus areas and recommendations for programming designed to move Nigeria off the Tier 2 watch list. The report provides background on the scope of trafficking in Nigeria, identifies strengths and challenges, and provides analysis and programming recommendations. A list of those

interviewed, written sources consulted, and a chart summarizing proposed activities is also included in the annexes. The team interviewed more than 40 persons involved in anti-trafficking including government agencies, police officials, immigration officials, NGOs, and IOs. The team traveled within Abuja, and to Lagos and Benin City, during the assessment and also interviewed the head of the immigration anti-trafficking unit from Kano.

This assessment concentrated on the four areas specifically mentioned in the SOW and did not attempt to identify the root causes of trafficking, trafficking trends, numbers of persons trafficked, or geographical sources of trafficking victims. However, to address the capacity of NAPTIP, the Lagos shelter, and other law enforcement agencies, some general background information was needed. This background information has been drawn primarily from earlier reports and studies, NGO informational sources, and other documents cited in the bibliography. Interviews were conducted during a two week time span in three cities, thereby offering a limited and time-bound view of the capacity of various anti-trafficking agencies. The information contained in text boxes throughout the report are direct, unedited, quotations from newspapers or reports.

## SECTION II

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### Background on the Trafficking Situation

#### A. Country Background

##### *General Background*

According to the U.S. State Department trafficking in persons report, Nigeria is a source, transit and destination country for trafficking with substantial internal trafficking as well as international trafficking to such locations as Italy, the United Kingdom, the Netherlands, the Middle East, and other African countries. Government of Nigeria (GON) sources could not provide a current, reliable estimate of the number of persons trafficked annually, but asserted, nevertheless, that the magnitude of the problem is great. Based on a recent NAPTIP survey, 648 children and adolescents were trafficked between July and December of 2004. While NAPTIP is working to validate its estimate, they believe that the actual incidence of child trafficking may be much higher.

The International Labor Organization's (ILO) National Modular Child Labour Survey report for 2000/2001 indicated that in an approximate Nigerian population of 120 million people, children ages 5-17 constituted 31.9 of the total population. The survey reported that over 15 million children were working and out of this figure over 6 million, including slightly over 3 million girls and just less than 3 million boys, were not attending school. This situation provides fertile ground for children to fall prey to traffickers. Even those children attending school were found to be skipping one or more days in a week on a fairly regular basis. NAPTIP contends that of Nigeria's 64 million children, 8 million are quite likely to be engaged in exploitative child labor. Moreover, NAPTIP has estimated that 40% of current street children will eventually become national or international trafficking victims. While the government is making efforts to address trafficking, funding and support have continued to be inadequate.

While efforts have been made to assess the extent of child labor trafficking, Professor Simi Afonja lamented in her "Assessment of Trafficking in Women and Girls in Nigeria" that there are no reliable estimates of the number of women and girls trafficked annually. Her own study relied on a survey of household heads who were asked to give a daughter to a trafficker, and at-risk women who had been invited to participate in trafficking. In Edo and Delta states, 18.1% of the at-risk women and girls interviewed admitted to being invited at least once to participate in trafficking, though 60.1 percent admitted knowing a friend, family member or neighbor who had been invited to participate.

##### *Cultural, Economic and Social Issues*

According to the U.S. State Department TIP report, children trafficked within the country often end up working in urban areas as beggars, hawkers or domestic help, while some are sent to work on cocoa plantations and in stone quarries in peri-urban areas. According to the UN Office on Drugs and Crime (UNODC), most of the traffickers who target women and children are relatives, friends, neighbors, or persons known to the victim or the victim's family. Given that no

reliable baseline exists it is difficult to determine whether trafficking in persons has increased or decreased over the years. Indeed, due to increased public awareness and efforts by law enforcement agencies in recent years, there may be increased reporting rather than an actual increase in the level of trafficking.

According to a May 2005 UNODC report on Measures to Combat Trafficking in Human Beings in Benin, Nigeria and Togo, a number of socio-economic factors including poverty, large family size, inability to provide adequate education, and lack of employment all serve as contributing factors to trafficking in West Africa. Professor Simi Afonja noted in her 2001 assessment that the customary practice of “fostering” is still very common in Nigeria. She argues that this traditional practice, originally meant to assist rural children in learning how to cope with modern urban living, has become twisted over time, now exposing naïve un-educated rural children to different forms of abusive situations. Some parents may be unaware of the realities of “fostering,” while others turn a blind eye to the situation their children are forced to endure. Indeed, the demand for child domestic workers is substantial and creates a situation where this “fostering” system continues to flourish. The Afonja report notes that unlike in the colonial era when child laborers were paid in kind, they are now paid in cash for their services or through middlemen and that due to rising poverty and the collapse of the educational system these incomes are needed to sustain poor rural households. Under such dire circumstances, many households refuse to accept “fostering” as an illegal act of trafficking and view those who would eliminate the custom as endangering their economic well-being.

**According to a 2004 UNICEF study released in February, a third of children trafficked from within Nigeria ended up in forced labour and another third become domestic workers.” Nigerians tend to prefer to employ Nigerian children because they can trace where they come from in case of any theft of household property,” Limlim told IRIN.**

**And, says social worker Oluchi Azubogu, a continuing tradition of giving children to extended family members makes it easy for traffickers to seduce children and their parents. An extended family system where children are traditionally given to relations or people from the same home town to live with or work in tutelage appears to have worked in favour of the traffickers,” Azubogu said.**

**He agrees that the legislation has helped in the fight against child trafficking but says the underlying causes, like a lack of education and poverty, must also be tackled. “The government can't fight child trafficking successfully unless widespread poverty is reduced and all children are given a basic education,” he told IRIN. “Then the baits with which these children are taken away will be neutralised.”**

***Fighting the many heads of the child-trafficking beast -- IRINNEWS.ORG, March 21, 2005***

Another complicating factor for children, particularly in the northern part of Nigeria, is the Almajiri, who are male pupils of Qur’anic scholars called Mallams. Almajiri’s often are subjected to begging in order to support themselves and maintain the Mallam’s compound. This begging system has developed in recent years as Mallams have moved from rural regions to urban areas. Originally the practice existed as a “boarding school” system where the general public was encouraged by religious injunctions to donate generously towards their upkeep. As the public response has decreased in recent years the students have resorted to begging to provide their upkeep. This situation places the boys at great risk of injury and illness brought on by a lack of care and the dangers associated with street begging. The system exposes boys to child labor and fosters a system where they are vulnerable to traffickers.

It was noted by a number of interviewees that many adult Nigerians believe the streets of big cities, particularly those in Europe and the U.S., are “paved with gold” and therefore many aspire

**There are hundreds of thousands of boys and girls trafficked from one state to the other or across borders. Most of these children originate from Akwa Ibom, Cross River, Delta, Edo, Benue, Imo, Anambra, Oyo, Osun, Ogun, Kwara and Ondo state. Some come into Nigeria from neighboring countries such as Togo, Benin while some Nigerian girls are transported to these neighboring countries. The worst part is that, the trafficked children are not rewarded directly for work done, and their earnings are repatriated to their agents who stand as their next of kin, most of these don't even know how much they are being paid, even though some earn N1,000 or N2,500 per month. These children are short-changed because they often end up not benefiting from their earnings, they are deprived of emotional care and affection, suffer beating more than the children of their employer and they are deprived of access to education. They are also ill-fed with leftover food and are locked indoors often.**

***Report of HDI Involvement in Sensitization Programme on Child Domestic/Trafficking, 2005***

to go there even under the most demeaning circumstances. One interviewee described the phenomenon as “inordinate ambition – big eyes on big things.” In some parts of the country it is considered a status symbol to have a child working in an urban area or foreign country. This notion is fueled by young people who return home, most often during the holiday season, providing gifts to family members and extolling the good life they have abroad. Parents with a large number of children for whom they can not adequately provide may be more likely to approach traffickers and ask them to take their children, believing they can have a better life somewhere else. While universal basic education is provided free for all children, there are significant costs for parents including levies, uniforms, and books. Many families are unable to afford these costs or have lost faith in the Nigerian education system, believing it to have deteriorated significantly in recent years. Even many educated young people cannot find a job and are easily discouraged from pursuing their education. They see little value in obtaining an education if they

will not be gainfully employed.

Many victims of trafficking, both children and adults, do not recognize the criminality of what has happened to them and refuse to cooperate with the police. Victims often feel that police have interfered with their opportunity for prosperity and if rescued are almost immediately plotting to leave again. These attitudes and lack of cooperation with law enforcement makes prosecution particularly difficult. Furthermore, some traffickers utilize “ju ju” (voodoo or religious magic) to threaten victims with curses, even leading them to believe they will die if they reveal who the trafficker is. Victims are typically taken to a “ju ju” shrine prior to departure where personal items are obtained from them, including clippings of hair and fingernails, and an oath is administered requiring their silence. The fear of breaking this oath is taken very seriously and makes obtaining information from these victims virtually impossible unless the items can be recovered from the shrines where they are kept as security.

### *Government of Nigeria Response*

In 2003 the Government of Nigeria (GON) enacted the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act. With this act the National Agency for the Prohibition of Traffic In Persons and other Related Matters, commonly referred to as NAPTIP, was established to investigate and prosecute persons suspected to be engaged in TIP, strengthen cooperation

among various law enforcement agencies in the eradication of trafficking, and coordinate the rehabilitation and counseling of trafficking victims. The agency has several units including an investigation unit, legal unit, public enlightenment unit, and a counseling and rehabilitation unit. Some of the responsibilities of the agency include coordination of all law enforcement activities involving trafficking offenses, taking measures to ensure the elimination and prevention of the root causes of trafficking, reinforcing and supplementing measures in bilateral and multilateral agreements, and ensuring rapid exchange of information between and among law enforcement agencies and to the public, at large.

The new law takes a tough stance on trafficking in persons, especially trafficking of children. For example, a trafficker can face a life sentence in prison for moving a person under 18 years old out of, or within Nigeria for prostitution. A person who procures a child under 18 years old to become a prostitute, either inside or outside of Nigeria, to leave Nigeria to become a prostitute, or to leave their home in Nigeria with the intent that the person engage in prostitution either inside or outside of Nigeria can be imprisoned for 10 years.

Despite the new trafficking law and creation of NAPTIP, Nigeria was still placed on the Tier 2 watch list in 2004 due mainly to allegations of significant complicity of Nigerian security personnel in trafficking and the lack of evidence of increased efforts to address this problem. The U.S. Department of State contends that Nigeria has the resources to combat trafficking, but committed inadequate funding and personnel to fight the problem. The State Department TIP report also stated that the government should move quickly to implement the new law through vigorous high court prosecutions of corrupt officials and traffickers, give adequate support to NAPTIP and improve protection facilities or funding for NGO protection activities. Additional reasons for Nigeria being placed on the watch list

include the lack of prosecutions and that anti-trafficking efforts among the states appeared to diminish considerably over the reporting period. The TIP report also stated that corruption is reportedly very high and impedes the identification and prosecution of traffickers. The 2005 rankings will be released in June and it is not known at this time whether Nigeria will remain on the watch list. Nigeria has made efforts during this past year to increase its ability to combat trafficking, including one successful prosecution in which the convicted trafficker received a three-year sentence.

**Nigeria is placed on the Tier 2 Watch List because of the continued significant complicity of Nigerian security personnel in trafficking and the lack of evidence of increasing efforts to address this complicity. Unlike other governments in the region, the Nigerian Government does not face severe resources constraints, yet if commits inadequate funding and personnel to the fight against Nigeria's serious trafficking problem. Nigeria is to be commended for its new anti-trafficking law and the new central government trafficking in persons law enforcement unit created by that law.**

***February 2004 TIP report for Nigeria***

In August 2003, NAPTIP began operations with a director but no office space. Less than two years later, the agency has a staff of over 230 employees at its headquarters in Abuja, its zonal offices in Lagos, Edo, and Kano State, and the two shelters it operates in Lagos and Benin City. The zonal offices tend to have fewer staff members and in the case of Lagos, they do not have office space separate from the trafficking victims' shelter. The Lagos zonal office operates with



two employees from the shelter premises. NAPTIP would like to increase the number of zonal offices to at least ten.

NAPTIP, with donor assistance, is developing a National Monitoring Center (NMC) to maintain and analyze trafficking data for all GON anti-trafficking agencies and organizations. The Italian Ministry of Justice provided software, known as “SIDDA 2000”, which was created and is used by the Italian National Anti-mafia Bureau as a database for investigative information. This system consists of four servers with the capacity to maintain a large database. The NMC, located in the NAPTIP Abuja office, will collect, process and analyze data from around the country including data on pre-recruitment, recruitment, transit, destination, return and rehabilitation issues. The NMC has been designed to provide other law enforcement units with access to timely data. However, at present most of the data on hand has not been digitized, and even when data has been hand tabulated it has not been analyzed or widely shared among agencies and interested parties. Given the training needed, NAPTIP does not expect the NMC to be operational for at least another two years.

Outspoken public support at the highest levels is an important factor in the fight against trafficking in persons and fortunately, this support has been steadily increasing over the past several years. An office for a special advisor to the President on trafficking has been established with an enthusiastic and knowledgeable staff. Additionally, the Immigration Services Department has established 14 anti-trafficking units in the nation’s most endemic trafficking states. During the same time period, the police have established 12 anti-trafficking units throughout the country, with headquarters in Abuja. However, the police units, like most other units around the country, are severely under funded and hampered in their efforts by the lack of sufficient equipment, particularly communications. Most of the anti-trafficking units do not have generators so even where computers and telephones are present, they cannot be utilized during the frequent blackouts. Also, most anti-trafficking personnel lack IT skills necessary to operate databases and electronic mail via the internet. Many of the police and immigration officials interviewed reported using their own cars, cell phones, and personal funds to complete their work. Where salaries are low and salary payments irregular, the work atmosphere suffers accordingly.

## **A1. Prevention**

During the past year, NAPTIP has conducted public awareness and enlightenment campaigns on trafficking in persons. In 2004, NAPTIP developed and produced a television info-commercial that was aired nightly during prime time on the National Television Authority (NTA) for three months. However, because air time is very expensive, especially for prime time (9.00 p.m.) slots which cost 300,000 Naira (approximately \$2,300) per slot, the advertisement is now being aired in free slots between 4:00 and 7:00 p.m. NAPTIP officials have also appeared on national talk shows and have developed relationships with media to encourage coverage of TIP stories. The agency has a website ([www.naptip.gov.ng](http://www.naptip.gov.ng)) to provide public information and also established a 24 hour hotline for victims or others seeking information about trafficking. The hotline is staffed 24 hours a day and is advertised through various NAPTIP publications and agency efforts, as well as by ILO in their TIP awareness raising efforts. However, the ability to follow up on complaints and reports received remains limited by a lack of resources for investigation.

To help fill the current data vacuum, NAPTIP has commissioned a study on emerging trends in human trafficking so that they may be in a better position to target their limited resources at TIP “hot-spots”. During the past year, NAPTIP officials have visited 11 states and met with traditional and elected leaders, to sensitize them on trafficking issues and educate them about the new law. NAPTIP officials have spoken at conferences and rallies and published a booklet containing the new law to help raise awareness among police and immigration anti-trafficking units. In an effort to improve inter-agency and donor coordination, NAPTIP established the National Stakeholder’s Forum (NSF) in 2004. The NSF, which consists of representatives of government ministries and agencies, NGOs, International Organizations (IOs), and foreign embassies, meets quarterly. NAPTIP also established the National Investigation Task Force (NITF), which brings together police and immigration, State Security Service and National Intelligence Agency, in an effort to improve coordination of public awareness efforts as well as anti-trafficking investigations.

During the past two years several NGOs and IOs have independently undertaken public awareness campaigns providing posters, brochures, and other items to bring attention to the dangers of trafficking. However, despite these efforts many people still do not perceive trafficking as a crime or even as a social problem that needs to be remedied.

Since June 2004, the News Agency of Nigeria (NAN) has been cooperating with the International Labor Organization – International Program on Elimination of Child Labor (ILO-IPEC) to implement a program entitled “Strengthening Media Partnerships to Eliminate Child Labor and Trafficking.” NAN attributes a noticeable increase in the reporting of children related activities, especially focusing on child labor and child trafficking to the success of this program. In a press conference, which the assessment team attended, the director of NAN, Mr. Akin Osuntokun noted that “hardly a day passes by without the mention of child labor and child trafficking in the print and electronic media.” At the press conference, NAN announced a new media merit award that will annually recognize outstanding contributions by media personnel to diminish the scourge of child labor and child trafficking. The first three awardees will be announced on Child Labor Day, which is June 12<sup>th</sup> 2005.

**We cannot afford to ignore more than 60 million children who constitute almost half of Nigeria's population. We appreciate the efforts of other stakeholders in contributing in their own little way towards attacking this common problem to ensure a better world devoid of child labour and child trafficking, which can aptly be described as a modern day slavery.**

***Mr. Akin Osuntokun, Managing Director of the News Agency of Nigeria at a news conference held on April 14, 2005 in Abuja, Nigeria.***

## **A2. Prosecution**

Nigeria’s anti-trafficking legislation is the first of its kind in West Africa and generally complies with most international standards. There are some peculiarities in the existing law including making some offenses punishable only when conducted outside Nigeria, or against child victims rather than adults. The legislation provides harsh life sentences for persons convicted of trafficking children for prostitution. Other sanctions include civil liability for compensation to victims ranging from the equivalent of \$375.00 to \$1,500.00 and forfeiture of assets. However, while the law provides an opportunity for victims to seek compensation for psychological and physical suffering there are no reports that this has been done yet. Similarly, while the law

establishes a victim compensation fund to be underwritten by forfeited assets of traffickers, no assets have been forfeited to date, making the compensation fund non-operational.

The TIP law places NAPTIP under the Ministry of Internal Affairs which is not the optimum situation for coordinating law enforcement activities. However, a proposed amendment to the law would move the agency under the Ministry of Justice, thus strengthening NAPTIP's investigative and prosecutorial functions.

The Immigration Act, Labor Act, Criminal Code (for southern Nigeria), and a penal Code (for northern Nigeria) overlap in places with the TIP law. The Child Rights Act, for example, provides for a ten-year sentence for trafficking in children for hawking, begging, or prostitution. The Federal Criminal Code carries a two-year sentence for procuring, pimping and exploiting prostitutes and depriving persons of liberty through confinement; while dealing, trading, purchasing, selling, transferring, or taking of a "slave", debt-bondage, and externally trafficking adults carry fourteen year sentences. The Federal Penal Code provides for 10 year sentences and fines for trafficking of males under 14 and females under 16, or trafficking of females under 18 for purposes of prostitution. The Code's penalty for rape is life imprisonment while the penalty for sex trafficking varies from 10 years to life. The government has also signed and ratified ILO Convention 182 on the Elimination of the Worst forms of Child Labor, ILO Convention 29 and 105 on the Abolition of Forced Labor, the Optional Protocol on the Convention on the Rights of the Child, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons.

During the past year, NAPTIP reported 42 cases under investigation, with 8 trafficking suspects having been arraigned in court, though one was later withdrawn. NAPTIP succeeded in obtaining one conviction in Edo State, where a female trafficker was sentenced to three years for attempting to traffic six girls to Spain. There are presently seven pending cases, including cases in Jos, Kano, Benin City, and Lagos. The National Police Force reported another 27 cases, involving 35 victims with 40 suspects arrested since March 2004. However, due to the method of record keeping it is difficult to determine which cases overlap with those being reported by NAPTIP.

Due to overlapping jurisdiction, and a lack of an operational plan between and among NAPTIP, police, immigration, and Attorney General (AG) offices, there is often confusion and sometimes disagreement over who should be handling cases, what charges should be filed and when a case needs to be handed over to another agency. To date, training for the various agencies working to combat trafficking has been limited. Police academy curriculum does not, for example, include any specialized training on trafficking in persons; however, the head of the police anti-trafficking headquarters in Abuja and other members of her staff have provided lectures. In 2003, fifty police officers were trained in a "train the trainers" program on anti-trafficking. This training was provided by INL and included officers not only from the specialized police anti-trafficking units but also other law enforcement officers who teach at the Police academy. The program was designed to provide a core group of individuals who were trained in teaching methodologies and could serve as trainers for future anti-trafficking programs.

While the police force has 12 anti-trafficking units and immigration has 14 units, their ability to communicate with and assist one another is quite limited due to the lack of basic communication

infrastructure and electrical power to utilize communications equipment that does exist. The prosecution of trafficking cases is further constrained by the regular rotation and re-assignment of police officers involved in anti-trafficking work. Although rotation and re-assignments are intended to combat corruption, the system often leads to officers being unavailable to testify or having to travel great distances, at personal or government expense, to attend trials. While there is a sincere desire to cooperate and a growing level of technical competence regarding trafficking issues, inter-agency efforts continue to be limited by a lack of resources.

NAPTIP cooperates with other governments including Benin Republic, Niger, Saudi Arabia, the United Kingdom and Italy on international trafficking investigations. NAPTIP recently completed a UNICEF sponsored training program with Benin Republic that resulted in a MOU which led to Nigeria repatriating 300 children to their homes in Benin. Indeed, whereas children from Benin used to be commonly found working in Nigerian rock quarries, this is no longer the case.

### **A3. Protection**

The government of Nigeria has leased, on a no-cost basis, a building in Lagos to NAPTIP to be used as a shelter for trafficking victims. The 120-bed shelter was renovated with funding from the US and Italian governments. The shelter was opened in July 22, 2004 and operated by IOM until November 2004, when due to funding limitations it was closed and turned over to NAPTIP. Re-opened in January 2005, the shelter now offers counseling and basic health services to its residents. The shelter has kitchen facilities and a back-up generator and a vehicle for victims' transportation, although NAPTIP has not been able to provide funding for fuel to operate the generator. At the time of the assessment team visit there were 63 persons in the shelter, including 40 young girls who were rescued from the back of a refrigerated container truck stopped by the police on its way from Niger State to Lagos.

Most of the victims identified at airports or borders are screened and then transferred to NAPTIP or NGOs for assistance. Officials have been informed to notify NAPTIP and the anti-trafficking units when victims are discovered or returned to the country. Victims are generally protected and are not detained, jailed, fined, or prosecuted. The Nigerian Police Force (NPF) reported that sixteen victims were deported from Nigeria during the past year.

A second building was donated by the government of Edo State to serve as a victim shelter. The shelter, with a more limited capacity (24), is located in a secure and secret location in Benin City. Residents typically remain in the facility for a maximum of two weeks before being transferred elsewhere or reintegrated into their community. The Benin City shelter has adequate staff and facilities, except for the lack of a refrigerator. The shelter staff estimated a cost of 700 to 1,000 Naira (\$5.00-8.00) per day, per person, to feed shelter residents and reported that funding for the shelter was included in the overall NAPTIP budget for this year. Like the Lagos shelter, IOM initially managed the Benin City shelter, but turned over management to NAPTIP in November 2004. Since its opening in November 2002, thirty-five victims have passed through the shelter, including 6 from Cotonou, Benin, with most of the remainder coming from the northern part of Nigeria.

The most active NGOs and IOs working with trafficking victims in Nigeria include IOM, Women Trafficking and Child Labour Eradication Foundation (WOTCLEF), Idia Renaissance, Grassroots Empowerment Network, Royal Pearls Foundation International, Girls Power Initiative, Human Development Initiative, Women's Consortium of Nigeria (WOCON), Agency for African Families in Distress (AAFID) and the Center for Training and Development Activities. Services offered by these groups vary from providing shelter, counseling, rehabilitation and reintegration support, to specialized skills training and sex education for victims. WOTCLEF operates three shelters for children that provide housing, counseling, and ensure that children attend school. Idia Renaissance has recently cooperated with UNICEF and SIDA to open two youth centers in Edo and Delta States that will provide a place where young people can receive information about trafficking, HIV/AIDs, utilize computer services, and obtain skills training.

## **B. Strengths and Challenges**

### **B1. Strengths**

The past year has seen a noticeable increase in the attention being devoted to the fight against trafficking, as evidenced by more investigations and one conviction. A number of agencies have been established and staffed with personnel who have the potential to operate effectively if given the proper tools and training. Some of Nigeria's key anti-trafficking assets include:

- ✓ Special Presidential Advisor on Trafficking
- ✓ NAPTIP personnel
- ✓ NAPTIP recognized as the country's principal coordinating agency
- ✓ Police and Immigration anti-trafficking units established and operational

*Special Advisor on Trafficking.* Trafficking in persons has received sufficient attention to warrant a special advisor to the President. This office serves as a focal point for policy formulation and as a conduit for reaching high level officials to ensure their cooperation in anti-trafficking efforts. In particular, this office provides opportunities for outreach to governors through the Governor's Forum to enlighten them on the trafficking problem and well as their legal responsibilities.

*NAPTIP.* The NAPTIP Executive Director is the former Director of Public Prosecutor and has excellent credentials in the prosecution field. During our meetings, she exhibited sincere concern over the scope of the trafficking problem in Nigeria. Other staff members include personnel who formerly worked in other ministries and law enforcement agencies. The core managerial staff is well known and enjoys a good reputation with key stakeholders and partner agencies; thus providing a sound basis for NAPTIP to lead anti-trafficking efforts across the nation.

*Police and Immigration AT Units.* Anti-trafficking units are already in place in 12 police divisions and 14 immigration offices. While the resources allocated to these units continue to be quite limited, a framework for providing training support has been initiated. With additional funding and specialized training, these anti-trafficking units should be able to expand NAPTIP's investigative capacity, especially in the states where NAPTIP does not currently have its own office or staff.

## B2. Challenges

Despite the assets mentioned above, a number of factors exist that present challenges for Nigeria's anti-trafficking activities. The main challenges include:

- √ Political Will
- √ Criminal justice system
- √ Federal – state structure and relationship
- √ Socio-economic and cultural issues

*Political Will.* One interviewee characterized the lack of knowledge on trafficking by high level officials as “executive ignorance.” Even those leaders with some knowledge of trafficking issues may not recognize trafficking, especially the customary practice of “fostering”, as a criminal offense. Political party affiliations and government personnel transfers undermine institutional knowledge of the issue, as well as the perceived need to aggressively pursue anti-trafficking initiatives. As mentioned earlier, there is a pending amendment to the law that would move NAPTIP under the Ministry of Justice. Peculiarities in the law can also make implementation difficult even in the presence of willing administrators.

*Criminal Justice System.* The slow speed of cases moving through the criminal justice process makes trafficking cases difficult to finalize. Over time, witnesses may have moved away or their memories faded; investigating police officers may have been transferred; and costs of transporting witnesses mounted. Most judges are not well informed about criminal aspects of trafficking in persons and do not have practical experience processing these cases. Defense lawyers tend to raise frequent appeals based on the constitutional right to interlocutory appeals and also request repeated continuances. All of these factors combine to make the prosecution and completion of cases a long and arduous process. A project on judicial reform is underway at the federal level, that will result in specific recommendations for improvements to the criminal justice system. However, even if these reforms are adopted it will be a considerable amount of time before they are actually implemented.

Police work and criminal investigations are also constrained by recurring and prolonged blackouts. Those units lacking generators or funds to purchase fuel are unable to use computers and telephones, and quite literally function in the dark. This lack of electricity also hampers inter-agency communication that, over time, delays investigations and compilation of evidence.

*Federal-State Issues.* The Federal-State structure and relations between the various agencies are sometimes adversarial and create tensions in the investigation of federal cases in the various states. Even the anti-trafficking law itself has been cited by some legal experts as an unconstitutional interference with the State's criminal jurisdiction. The problem is exacerbated when some trafficking cases include potential charges under both federal and state law, thus causing a conflict over who will handle the investigation and/or prosecution of that case. Many State-level agencies feel they are being tasked with the Federal Government's work without adequate Federal funding being provided to complete that work. This issue could prove to be a practical barrier to future joint Federal-State investigations and prosecutions if left unresolved.

*Social and Cultural Issues.* Cultural traditions and socio-economic factors also present challenges for anti-trafficking work, especially trafficking of children for labor purposes. The re-orientation of traditional attitudes and customary practices often takes years, sometimes generations to occur. As noted in the text box, trafficking in persons provokes very little moral outrage and it will be difficult to quickly eliminate practices that most Nigerians do not view as illegal or immoral. Socio-economic conditions in Nigeria are continuing to create an environment that encourages “fostering” children and pushes young people, mostly women, to go abroad and make money to support their families.

**The market in Benin City sells just about everything: ladies' pants and bras, plastic bags, padlocks and second-hand clothes known locally as “fairly used.” But this city in south-eastern Nigeria also thrives on a less wholesome trade: people-trafficking. It is an organised and lucrative trade. The girls are recruited by local “sponsors”, who pay up-front for transport. The girls therefore start out thousands of dollars in debt. Before they leave Nigeria, they are taken to a witchdoctor and sworn to repay their debt and keep quiet. The shaman typically keeps a lock of their hair or some toenail clippings, and warns them that they will die if they break their oath.**

**A striking aspect of this dirty business is that it provokes so little moral outrage in Nigeria. On the contrary. Rita, an articulate young woman, was 16 when her mother sent her away to “work in Canada.” She found herself in Gabon (one of Africa's richest states) instead, where her sponsor, who said she owed her \$45,000, ordered her to prostitute herself. She escaped and fled home. Her mother was furious. “She said I didn't want to make money for her. She said other girls go for three months and buy cars for their parents.” Laws in Nigeria are laxly enforced. Officials are often ignorant, or can be bribed to turn a blind eye. Most important, it is hard to stamp out a practice when so few Nigerians think it wrong. It seems that the country's get-rich-quick culture, fuelled by a generation-long oil boom, has trickled right down to the bottom, unlike the oil money itself.**

**The Economist  
People-trafficking from Nigeria, Nigeria's other export  
April 22, 2004 | Benin City**

## SECTION III

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### Analysis

#### A. General Capacity of NAPTIP

NAPTIP still remains in a nascent stage having only been organized pursuant to law in June of 2003. Ms. Carol Ndaguba, former Director of Public Prosecution, was appointed as Executive Secretary. Initially she had no budget, no resources and no office; however, NAPTIP has now secured sufficient premises for the operation of its headquarters in Abuja. NAPTIP currently employs approximately 230 individuals in its headquarters and zonal office in Kano and offices and shelters in Benin City and Lagos. NAPTIP personnel are eager to perform their duties, especially to develop effective communication systems within the Agency and among the participating partner agencies. A national plan of action was recently drafted and is currently being circulated among various agencies and NGOs working on this issue for comment. Some of the key issues facing the agency are:

- Gaps in the legal framework
- Lack of funding
- Lack of operational plan for interacting with other law enforcement agencies
- Inadequate infrastructure (zonal offices, shelter services, case management database)
- Lack of witness support programs

*Legal framework.* The agency is currently operating under the Ministry of Internal Affairs. However, an amendment to the law, moving the agency to the Ministry of Justice, was presented to the National Assembly in 2004. Given NAPTIP's need to coordinate investigations and activity plans with other law enforcement agencies, a transfer to the Ministry of Justice should prove beneficial. While the trafficking law is generally in compliance with international standards, some peculiarities exist that may present difficulties in the future, such as making certain acts punishable only when conducted outside of Nigeria or only when committed against child victims rather than adults. A constitutional challenge may also be raised by defense attorneys who assert that trafficking is not a federal offense, and that NAPTIP does not have authority to prosecute traffickers. In the face of such challenges, agreements, known as fiats, with state attorney general's offices may be needed to ensure that NAPTIP's authority to prosecute remains inviolate. Similar agreements have been made for the Economic and Financial Crimes Commission (EFCC) to prosecute cases in State courts.

*Funding Issues.* Since its inception, NAPTIP's operations have been hampered by a lack of funding. During 2004 the government supported NAPTIP with 106 million naira (\$797,000) for personnel costs, 30 million naira for overhead costs (\$225,600) and 5 million naira (\$37,600) for capital expenditures. The 2005 budget was recently released and according to NAPTIP officials is five times last year's budget. It remains to be seen whether the money will actually be received in full by the agency.

Investigations, especially in cases of international trafficking where trips to foreign countries are required, are very expensive. Even domestic investigations can be expensive due to regional



travel and repeated case continuances. Continued delays and expensive travel costs make a good argument for establishing cooperative relationships with State AG offices, whose staff could attend hearings on behalf of NAPTIP. This lack of funding has also hampered NAPTIP's ability to procure much needed computers, generators, and surveillance equipment.

*Operational issues.* NAPTIP's cooperating agency partners reported that their relationships with the lead agency were generally "good". Some noted, however, that conflicts occasionally arise about each Agency's responsibilities--e.g, the appropriate agency to handle the investigation, when the case may be referred to NAPTIP, and the responsibilities of each agency. Handling cases with "mixed" charges (i.e. trafficking and rape) gives rise to questions whether NAPTIP should investigate and prosecute both charges, or whether they may be bifurcated between agencies. An operational plan is vital to ensuring that all participating agencies are aware of each other's roles and responsibilities, and NAPTIP should take the lead in developing such an operational plan.

The NAPTIP zonal offices and police and immigration AT units throughout the country currently do not have a regular and dependable means of communication. Due to a lack of electricity, telephone systems and computers, even where available, cannot be used on a consistent basis. Satellite telephones or other alternate communications devices are generally not available, except for personal cell phones. Recognizing that regular and dependable communication and information sharing is critical to the success of investigations and prosecutions, we are recommending that funds be provided to purchase generators and that NAPTIP secure operational funds to purchase fuel to operate those generators.

*Infrastructure issues.* No database of information on cases, traffickers arrested, trafficking routes or victim characteristics is presently available for any of the agencies working on anti-trafficking. The information that is available exists only in hard copy format, making it difficult to share on a regular or timely basis. NAPTIP has plans to operationalize the national monitoring center that will compile and disseminate this type of information, but in view of limited resources, does not expect the center to be operational until 2007. With additional donor support for equipment and training, the center could be operational much sooner.

NAPTIP would like to increase the number of zonal offices in order to better serve the regions, particularly the endemic trafficking source states. Of the two zonal offices already established, the one in Edo State is housed in the Federal Secretariat, while the one in Lagos is housed inside the victim shelter. NAPTIP recognizes the need to move its Lagos zonal office out of the shelter and is currently looking for appropriate space. All NAPTIP zonal offices need to be equipped with computers, internet access and communications equipment.

NAPTIP is currently operating two shelters; one in Lagos and one in Benin City. Operating victim shelters is a costly undertaking requiring specially trained personnel to implement a wide range of services. We observed that the Benin City shelter lacks a refrigerator, while the Lagos shelter has no recreational facilities for its residents, who are confined to the building. The Lagos center's skills training area has not been equipped and residents have little to occupy their time except watch television when the electricity is on or there are funds to operate the generator. While NAPTIP has sought funds for these shelters in its annual budget request, it is difficult to

budget precisely for food, toiletries, and clothes when the average number of residents passing through the shelter annually cannot be definitively established. NAPTIP will, therefore, need to establish an emergency fund, supplemented by donor contributions, to be utilized when the number of residents exceeds expectations.

*Witness Support.* As a strategy to combat corruption, police officers are frequently rotated throughout the country. As a result, by the time a case comes to trial the investigating officer may no longer be working in the vicinity of the trial court. Travel funds for investigating officers have typically been difficult to secure, often resulting in their failure to appear at the trial. Witnesses residing in a different location from the trial court face similar transportation-related difficulties and may also become unavailable to testify. In view of these problems, a special travel fund for police officers and witnesses needs to be established.

## **B. Capacity for Investigation and Prosecution**

A number of factors combine to make the investigation and prosecution of cases a difficult task for NAPTIP and its participating agency partners. One of the main factors is a lack of willing witnesses due to fear of reprisals from traffickers, not realizing that what has occurred is a criminal act, or resentment that law enforcement agents are interfering with one's personal choice to earn a living. The effect of "juju" curses, mentioned earlier, also inhibits victims from speaking openly. The lack of willing witnesses makes prosecution difficult, though not impossible, and investigating officers need training to build cases that do not rely exclusively upon victim testimony.

The right to an interlocutory appeal at any stage of the court process also contributes to reducing the number of successful prosecutions. Although lawyers have been blamed for manipulating this appeal process and exploiting the court's willingness to grant continuances, such stalling tactics are common defense practice employed by "good" advocates who know that over time investigating officers may be transferred, witnesses may disappear, or their recollections fade. Given these circumstances, it is important to focus on the process and how best to implement legal reforms that can resolve these challenges.

### **B1. NAPTIP**

The ability of NAPTIP to successfully prosecute cases is also dependent on the capabilities of its participating partner agencies--i.e., the police, immigration, Attorney General's office and other state agencies. While the police and immigration have special anti-trafficking units in a number of states, their investigative capacity varies greatly and the ability to communicate effectively with one another on a regular basis is still quite limited. To deal with these issues, NAPTIP has established a National Investigation Task Force (NITF). At the highest levels the participating agencies appear to be communicating well. However, on the ground there are signs that the agencies may not be working together. Interviewees reported that police sometimes claim they are investigating charges in addition to trafficking so they can hold on to cases, rather than turning them over to NAPTIP for processing. The operational plan suggested earlier should help to remedy this problem, especially when further supported by joint training of task force investigative units.

Prosecution can also be aided by removing the fear of reprisals, either natural or supernatural. Witness relocation is one potential avenue to explore. Another is to go after the “juju” men who keep “voodoo charms” containing the hair, fingernails and pictures of trafficked persons at their shrines, to be used against them should these women decide to speak about their trafficking experience. In the last year NAPTIP raided two “juju” shrines, and recovered voodoo charms belonging to several trafficking victims. After seeing that the “juju” man no longer held their “charms”, and that the supernatural threat had been removed, they were convinced to offer evidence against the traffickers who had sworn them to silence. This type of investigative “best practice” needs to be repeated to ensure that more prosecutions can be successfully concluded.

The governor had made appeal for the release of the suspect, Fatimah Baba, when Executive Secretary of the National Agency for Prohibition on Trafficking in Human Persons (NAPTIP), Mrs. Carol Ndaguba, visited him in Minna, Niger State Capital. According to the governor while making the appeal, the intention of Fatima was not to traffick the children for any negative purpose. Governor Kure had urged the Police to understand that the report by the State Security Service indicated that the woman is engaged in training children to assist their parents financially, which the entire community has acknowledged.

*Police Fault Kure on Child Trafficking Suspect. Article from The Guardian, April 17, 2005 ,by Odita Sunday*

At the time of the assessment, NAPTIP was pursuing a case against a woman who was found traveling from Niger State to Lagos in a truck containing 40 children. She was arrested, incarcerated, and the children placed at the victim’s shelter in Lagos. NAPTIP has refused to return the children to their parents until a reintegration plan is developed which will ensure their safety and return to school. NAPTIP has visited Niger state and met with the Governor and the families of the children. The Governor has rebuked NAPTIP, stating that the alleged trafficker is in fact a philanthropist who was helping these children to achieve a better life in the city and demanded the woman’s immediate release. This kind of attitude is detrimental to effective prosecution and underscores the need for NAPTIP to develop political will at state and local levels.

## **B2. Police**

The National Police anti-trafficking unit is headed by Ms. Dorothy Gimba, who exhibits a keen knowledge of trafficking issues and is eager to improve her unit’s investigative capabilities. However, like the other participating agencies, the police’s ability to investigate cases is hampered by factors that include:

- Need for specialized training
- Weak coordination between police, immigration and NAPTIP
- Data not being effectively utilized
- Weak IT capacity
- Rotation of officers on a frequent basis
- Lack of electricity and sufficient communications equipment

Twelve police anti-trafficking units are currently operating throughout the country, mostly in the endemic source states. These twelve states include Abuja, Lagos, Kano, Ebonyi, Cross Rivers,

Akwa Ibom, Ogun, Ondo, Oyo, Borno, Delta, and Maiduguri. Prior to the establishment of these specialized units in 2001, an anti-trafficking task force operated from 1997. There are twelve officers assigned to the headquarters unit and each of the state units. Although these units have been severely under-funded, there is a line item allocation for their operations included in the 2005 federal budget which may help to alleviate this situation.

IT capabilities are very low. While the Abuja office has a few computers, they were either still in boxes or sitting idle. Frequent power outages make their usage difficult, especially in field offices, most of which do not have generators. The AT office in Lagos is particularly under-equipped, having no electricity, no computers, and no communications equipment.

Lack of inter-agency organization and cooperation is fairly common in Nigeria, and not peculiar to the anti-trafficking agencies. To improve this situation, Ms. Gimba has planned a meeting for all unit heads to adopt a strategy for improved coordination. Currently, the units submit monthly reports that are compiled by the headquarters office. Unfortunately, these reports are not analyzed or shared with other field offices and agencies. However, once the National Monitoring Center is operational, and staff is trained, the analysis and sharing of data should greatly improve. Recognizing that most police officers do not have any experience working with databases and software applications, specialized IT training will be needed to ensure that the regional monitoring systems can be fully utilized. While the police AT unit has cordial relations with the immigration AT units, there are no operational protocols delineating the two agencies' roles and responsibilities. At the same time, the two agencies have no established information sharing communication channels.

Anti-trafficking curriculum is currently not a part of regular police force training and until now, police training on trafficking has occurred on an ad hoc basis. Patrol officers form the first line of defense against criminal acts, and may be the officers most likely to see situations where trafficking is taking place. If all of these officers were trained to recognize trafficking incidents and to respond to the nearest Police AT Unit, many more cases would be detected and prosecuted. In 2003, fifty officer from the AT units, along with some additional officers, were giving training as trainers, and future programs should be able to call upon this pool of trainers to deliver specialized anti-trafficking courses.

**The Federal Government in the country's position paper posited thus: The Nigeria Police Force, which has been handling the problem of human trafficking before the establishment of the Anti-Human Trafficking Agency in 2004, .... The Police anti-human trafficking unit has handled 120 cases of human trafficking in 2004, virtually all of them below the age of 12 years, predominantly from Edo, Delta, Akwa Ibom, and Cross River States. Over 200 victims, mostly children have so far been handed over to the Republic of Benin."**

***Quote from the Guardian, April 20, 2005  
"UN plans tough human trafficking laws"  
By Emmanuel Onwubiko***

Officers are routinely rotated to other locations around the country, thereby causing the loss of institutional knowledge and vital witnesses for prosecution. The police AT unit would like to adopt a policy that officers assigned to their units be rotated less frequently so that their specialized skills are better utilized on the job and mentoring new officers. The police AT unit also noted that to ensure their availability for trial, a policy for retaining IPOs until cases are completed or providing for their travel expenses to court should be considered. According to the

head of the police AT unit, a recommendation has gone forward to police headquarters that anti-trafficking officers be given three year assignments.

### **B3. Immigration**

The Nigerian Immigration Service has 14 AT units in fourteen states, including Abuja, Lagos, Seme, Kano, Ebonyi, Cross Rivers, Katsina, Rivers, Ogun, Ondo, Edo, Enugu, Borno, and Imo. The AT unit director comptroller, Rabiou Musa, acknowledged that these fledgling units are not yet very effective due to factors such as:

- Lack of sufficient knowledge on anti-trafficking issues at the headquarters in Abuja
- Weak coordination within unit and with other agencies
- Lack of infrastructure – IT knowledge, equipment, and appropriate training

The director of the AT units in Abuja was only recently appointed to the position and his familiarity with anti-trafficking operations was, therefore, limited. The director stated that their function is mainly prevention; watching for signs and getting involved to stop trafficking before it occurs. They also make arrests, investigate and submit their findings to NAPTIP. They turn victims over to NAPTIP for screening and to provide victim assistance. In transit towns they identify motor parks and place plain clothes officers there to watch for suspicious activity.

Immigration's AT units are small, usually composed of four or five officers, drawn from within the immigration unit and working part-time on anti-trafficking activities. The units are, however, available for deployment any time a TIP situation arises. The officers in the units have received minimal training on trafficking, though two officers were currently at a training program in Italy. All of the immigration AT officers will require specialized training on trafficking issues, surveillance techniques, and evidence gathering, as well as general IT training to truly be effective. To date no immigration AT officer has testified in court, but this will likely change as they become more involved in investigations.

According to the head of the immigration AT unit, communications with NAPTIP are channeled through the comptroller general's office--a restriction that could cause delay in the transmission of time-sensitive information to NAPTIP. The Immigration AT office lacks a regular electricity supply means or generator, making communications, particularly with its field offices, very difficult.

According to the immigration AT unit head from Kano, all of Nigeria's northern states have been hit by the trafficking phenomenon, and that 700-1,000 deportees are returned each month. His office cooperates with the Saudi security agencies to combat this growing problem, but he noted that most of the returned deportees refused to cooperate with NAPTIP prosecutors. Awareness seminars have been organized with police, AGs, travel agencies, and transport companies, and religious leaders ("the Pastor and the Imam"), have contributed clerical views to the discussions.

#### B4. Other Related Agencies and Organizations

Close coordination is required between and among local and international partners to deal with the international, cross-border, dimensions of trafficking. Some of the key coordination elements include:

- MOUs and bi-lateral agreements with foreign countries
- Involvement of State Ministries of Justice
- Participation of other national stakeholders

*International Cooperation.* Since its creation, NAPTIP has moved to establish cooperative relationships with several countries to combat trafficking. There is currently a bilateral agreement with the United Kingdom to combat trafficking and a memorandum of understanding with the government of Benin. There are also relationships with the governments of Spain, Italy and the Netherlands. In addition to these formal relationships, NAPTIP personnel have joined a number of multinational working group organized by the UN, the African Union, and the Economic Community of West African States (ECOWAS). The police serve on a UNICEF technical committee to combat child trafficking between Nigeria and Benin. The assessment team believes these international connections are essential to combating trafficking and recommends that the existing relationships be continued and further developed, and that additional MOUs or bi-lateral agreements should be negotiated with other trafficking destination countries.

**Narrating how the police nabbed the suspected trafficker and the human cargo in a containerized vehicle, the DPO said "my men saw that the container was locked and when they asked the driver what he was carrying, he said 'nothing.'" "But the policemen heard noise inside. They now said 'come and open.' He (driver) said 'no'. They now forced the driver to open the container and they saw the people inside," Eboka stated.**

**The DPO recalled that there were 64 women and children inside the truck which his men suspected the principal culprit was planning to transfer abroad. Adebayo said that Alhaja Mohammed would be charged with trafficking. According to him, "if the woman claims that she was not trafficking, for what purpose was she carrying the children?"**

**He said that apart from the fact that the children were under-aged, they were taken allegedly away without their parents consent. He added that anybody who removes children from their parents without their consent, has "committed an offence under the constitution."**

***New Twist in Human Trafficking Case  
By Charles Obasi in the Daily Champion,  
March 8, 2005***

*State Ministries of Justice.* NAPTIP's relationship with State Attorney General's Offices needs to be improved. The assessment team found, for example, that the Lagos State AG's office was unaware of any of the details of the investigation of the recent case of the children from Niger State, and had not had any contact with NAPTIP on this case. As a practical matter, it is important for NAPTIP to inform State AGs of its activities and where appropriate, to utilize the services of their office. Having State AG personnel attend preliminary hearings would help to reduce NAPTIP's travel expenses and prosecution costs. Also, as previously mentioned, NAPTIP may need to obtain fiats from the State AGs to avoid constitutional challenges to NAPTIP's right to prosecute cases in state courts.

*National Stakeholders.* NAPTIP needs to build upon the relationship it has with the Special Advisor to the President on Human Trafficking, who is responsible for developing government policy on trafficking in persons.

This Special Advisor's office was established in June 2001 and since that time has worked closely with NAPTIP. The Special Advisor's office is currently planning a campaign to sensitize federal and state policy makers on trafficking issues, and would like to expand its awareness efforts to school children via cooperation with the Ministry of Education. The Special Advisor's office is aware of the operational difficulties currently impeding NAPTIP and its partner agencies in conducting investigations and is prepared to assist in developing operational protocols, and conducting training, so that each agency understands its own roles and responsibilities, as well as the roles and responsibilities of the other participating agencies.

Additional policy reform is needed in the area of criminal procedures. The Federal Ministry of Justice is presently working on a justice sector reform project in Nigeria and intends to finalize its report by the end of May 2005. Interviewees noted that the report will contain several recommendations to improve the criminal court process including restricting the right of interlocutory appeal in criminal matters, curtailing protracted and irrelevant cross-examination, instituting pre-trial conferences, and restricting the transfer of investigating officers who have pending cases. Following the report's release, there will be a three-month consultative input period that will lead to a number of proposed amendments to the criminal code. The Ministry anticipates the passage of all amendments by the end of 2005, with implementation beginning in 2006. The reforms mentioned should help to expedite prosecutions in trafficking cases, and the assessment team is recommending that assistance be provided to implement these procedural changes.

Additional policy work is needed to improve the care and treatment of trafficking victims. In May of 2004, NAPTIP established a National Committee for the development of a policy framework for counseling and rehabilitation of victims of trafficking and in October 2004 it established a technical committee to examine specific policy reform issues. The technical committee, which includes representatives from NAPTIP, the Ministries of Social Welfare and Women, and NGOs, could be focal point for program assistance in the area of victim rehabilitation.

### **C. Lagos Shelter**

In 2004, the GON offered NAPTIP a building in Lagos to serve as a trafficking victims' shelter. The US and Italian governments provided financial support to renovate the building, and when the shelter was opened in July 2004 the USG provided funds for shelter personnel and basic operational expenses for transportation, psychological counseling and personal items for victims. The shelter currently operates as a 120-bed facility, but could expand to house an additional 80 residents. NAPTIP is currently operating the shelter which, at the time of the assessment visit, housed 40 girls and 23 women from 5 different countries. The current staff includes a shelter manager, a nurse, six counselors, a housekeeper, a cook, and ten security persons. The NAPTIP zonal office is also located on the shelter premises and the head of the zonal office serves as the shelter manager. Some of the challenges for the shelter include:

- Good building facilities but with an "institutionalized" atmosphere
- Location, while secure, is not ideal
- Lack of recreational facilities and areas
- Skills training area not equipped or functioning

- Counselors need specialized training; should have trained psychologist
- Lack of funds for generator fuel and medical services and testing

Although the shelter facility was well-renovated and is currently in good physical condition, the atmosphere is “institutional,” as if it were a school dormitory, rather than a “home.” There are no indoor recreational facilities and due to its location on a secure government compound, residents are not permitted to go outside. During the team’s visit, residents were observed sitting idly on the floor in their rooms or in the television room. At the time, there was no electricity so the television and video system were not operating. Given the trauma victims have already suffered, and their need for emotional release, the current atmosphere at the shelter may prove dangerous for the psychological well-being of residents, especially the young children.

The shelter facility has its own clinic with a full time nurse to provide medical screening. The team observed that the clinic area was clean and well equipped. The manager reported excellent cooperation with the local military hospital in providing testing and services unavailable at the shelter. Medical testing is expensive and additional funding for medical services was noted as a high priority need for the shelter.

The shelter has six resident counselors who rotate in shifts so that 24 hour counseling services are available. However, none of the counselors is a trained psychologist and all currently lack specialized training in trafficking-related traumas. Counselors meet with residents individually or in group sessions. Discussion notes are kept on file and some residents write their own experiences as a form of therapy. The team concludes that a trained psychologist should be made available, at least on a part-time basis, and is recommending that one should be hired to supervise the counselors, provide psychological assessments, and make referrals, as necessary.

A portion of the facility has been allocated for skills training, which is an important aspect of reintegrating persons back into society and helping to ensure they will not be lured back into trafficking. However, this area remains empty with no equipment to operate this program. According to the skills training plan, sewing machines, computers, and beauty equipment are needed. The shelter manager suggested establishing a vocational training center away from the shelter where residents could also have outdoor recreational facilities.

Food service for residents is a recurrent expenditure item. The shelter’s manager estimated that individual costs were approximately 450 Naira per day (approximately \$3.50), and that for the 40 victims currently in residence, 18,000 Naira (approximately \$140.00) was needed daily. Unfortunately, the shelter’s budget could not accommodate this expense and foreign donor assistance was needed to meet this cost. The shelter manager noted that NAPTIP’s 2005 budget included operational funds for the shelter, but the basis for calculating the budget was based on a limited number of residents. If more residents than anticipated are housed at the facility, the budget will not be able to accommodate them. The team is recommending that an emergency operating expense fund be established to provide for such circumstances. The team is also recommending that adequate funds be made available to purchase fuel to run the shelter’s generator and the pumps necessary to fill the shelter’s overhead water tanks.



The shelter's manager is also the head of the NAPTIP zonal office, which operates from the facility. For security reasons, the team feels that the NAPTIP zonal office needs separate office premises, and that the shelter needs its own full-time manager.

#### **D. Donor and local organization efforts**

A number of international donors and local non-governmental organizations implement or support anti-trafficking initiatives in Nigeria. International organizations working on trafficking issues include UNICEF, IOM, and ILO. Local organizations include WOTCLEF, HDI, AAFID and Idia Renaissance. Given the size of Nigeria and the dimensions of the trafficking problem, the team concludes that more attention should be given to expanding the number of local organizations focusing on trafficking.

##### **D1. International Organizations**

IOM has an agreement with the Nigerian Government to address trafficking and child slavery and an MOU with NAPTIP to provide technical assistance to develop state-level reintegration capacity. IOM is currently working to develop a National Policy Framework with the Committee on Counseling and Rehabilitation, but does not expect to complete this task until later in the year. Over the past two years, IOM was directly involved in operating the Lagos and Benin City victim shelters. However, when IOM's funds were exhausted, it turned this responsibility over to NAPTIP. Currently, IOM has plans to provide six machines to immigration to screen traveler documents at border points.

The ILO-International Program on the Elimination of Child Labor (ILO-IPEC) implements two projects including one focused on child labor and child trafficking and the other focused on capacity building. Both of these projects are slated to end in 2005. The capacity-building project has been working with local NGOs (e.g., WOTCLEF) and media to improve reporting of child trafficking and with local government officials to improve policy implementation. It is noteworthy that the ILO-IPEC program, together with the News Agency of Nigeria, is instituting an annual award program to publicly recognize media personnel who have worked to eradicate trafficking through media awareness. The ILO-IPEC is also a member of the consultative forum on child trafficking that has been established with UNICEF, IOM, UNODC, USAID, British High Commission and the Swedish Embassy, and their participation in this forum allows them to bring synergy to their work and avoid duplicating others' efforts.

ILO sponsored a joint Ghana/Nigeria training program involving 17 representatives from NAPTIP and its participating agency partners. ILO's activities focusing on the *almajiri* phenomenon in the north and commercial agriculture are funded until March 2006 at a cost of \$462,000.00. ILO has plans to provide surveillance training to NAPTIP task force members and is currently working with UNODC and UNICEF to develop a baseline for child protection issues in Nigeria. While UNICEF focuses on child trafficking, prostitution, sexual exploitation and pornography, UNODC will be working with the GON's Federal Office of Statistics on a variety of youth issues including drug abuse, crime, and militia activity.

UNICEF's activities are focused largely on capacity building, with secondary interests in victim assistance, public enlightenment, advocacy, and research. UNICEF believes that greater

attention needs to be given to domestic trafficking, and building awareness at grass roots level that trafficking children for labor purposes is a criminal act. UNICEF has provided financial support and equipment to NAPTIP, and is planning a regional conference to develop a common plan of action on child issues. UNICEF, together with SIDA, have funded two youth centers; one in Benin City and another in Delta State. The multi-purpose centers provide young people with information about trafficking, recreational opportunities, vocational, educational and life skills training, internet access, and legal counseling.

As mentioned earlier, UNICEF will cooperate with ILO to train NAPTIP and its participating agency partners on surveillance techniques. UNICEF does provide ad hoc support to victim shelters and was instrumental in working with NAPTIP to develop an emergency response framework to ensure that within 48 hours child victims are placed in an appropriate care facility.

## **D2. Non-Governmental Organizations**

WOTCLEF was founded by the current Vice-President's wife, Chief (Mrs.) Amina Titi Atiku Abubakar, in October 1999. WOTCLEF provides public enlightenment and sensitization programs, and until recently, an award-winning weekly television drama entitled *Izozo* which depicted the dangers of trafficking. WOTCLEF conducts peer education programs for youth with funding from the British High Commission. WOTCLEF helped to draft the NAPTIP legislation and performed advocacy work to ensure its ultimate passage.

WOTCLEF currently operates two child-victim shelters located in Abuja and Ogun. The coordinator of WOTCLEF in Cross River state also offers her residence as a temporary child-victim shelter. The Abuja facility houses up to 25 residents and at the time of the assessment visit had 15 boys and girls in residence. The children attend the nearby public school and receive psycho-social services at the shelter from a full-time counselor. The shelter's expenses are met largely by trustees. Additional support is provided by NAPTIP, UNICEF, IOM, and some private companies. The facility houses adults on occasion, but only for short periods of time.

WOTCLEF attempts to reunite child victims with their families and then works to ensure they are not re-victimized. When this is not possible children are retained on a long term basis rather than risk further harm on their return. This means that many children are housed at the facility for extended periods of time and that the shelter effectively becomes an "orphanage". Presently one disabled child at the facility is a witness in a criminal proceeding. The NGO reports excellent cooperation with NAPTIP including assistance to locate parents and to hold local governments responsible for costs of children's stay at the shelter.

IDIA Renaissance, located in Benin City, recently opened a youth center with funding from UNICEF, SIDA and local government. The center provides free vocational and life skills training for youth to help build their self confidence, and as part of the program, boys and girls are educated on the ills of trafficking and why they should not yield to traffickers.

Human Development Initiatives (HDI), located in Lagos, works in four child trafficking source states including Lagos, Oyo, Osun and Ondo. HDI has collaborated with ILO-IPEC on the West Africa Cocoa Commercial/Agriculture Project (WACAP) to protect children from child labor and trafficking. HDI completed a Lagos survey that identified 400 homes where children were

found working as domestic laborers. HDI encouraged the families to either stop the practice of using child labor or to send the children to school. HDI provided educational supplies to those children who decided to go to school. Contact was also made with many of the children's parents to determine why they had sent their children to work in Lagos. After identifying poverty as a primary cause, HDI (with funding from USAID, IOM, ILO and the Ford Foundation) held a three-day training program for those parents interested in participating in a micro-credit program to increase their household incomes.

HDI conducts public awareness activities (i.e., posters, brochures and the publication of various reports) and sponsored a radio jingle in Lagos and local communities. HDI conducted a media awareness workshop for reporters to enlighten them about the psycho-social effects of trafficking on victims and the role media can play in combating human trafficking. This program resulted in the development of a popular bi-weekly radio program, with guest speakers contributing insights on child labor and child trafficking.

The Agency for African Families in Distress (AAFID) works on programs dealing with peace, security and human rights. Its approach to dealing with trafficking turns on the provision of psychological assessments and rehabilitation services for victims, as well as public advocacy. AAFID's programs are designed to train personnel to assess psychological disorders, determine psychological profiles and vulnerabilities, and then to mitigate these problems. AAFID has trained and experienced psychologists who can assist shelter residents in areas such as psychological needs assessments, rehabilitation, and post-discharge analysis and monitoring.

### **D3. Governments**

The Office of Overseas Prosecutorial Development Assistance and Training (OPDAT), the United States Department of Justice division that coordinates training of judges and prosecutors abroad, provides technical assistance in international training and criminal justice development. OPDAT has been involved in such training programs in South and Central America, the Caribbean, Russia, other Newly Independent States, and Central and Eastern Europe. OPDAT is posting a full time legal advisor to Nigeria beginning in May 2005. Although the advisor is expected to concentrate mainly on anti-corruption efforts, it is anticipated that some anti-trafficking activities may also be conducted.

The UK signed an MOU with Nigeria in November 2004 to cooperate on the prevention, suppression, and punishment of trafficking. In 2004 the UK sponsored NAPTIP's Executive Director and the head of the investigation unit to visit the UK, and meet with the police, crime squad, and prosecutor's office to learn about the operations of inter-agency task forces. The British High Commission currently has one on-going anti-trafficking project that provides approximately \$110,000 to WOTCLEF to implement its public awareness and youth outreach program. During May 2005 a team from the Metropolitan Police department will visit Nigeria to conduct an assessment of police force needs and make recommendations for programming support. It is anticipated that the Metropolitan police will be able to provide training in investigative techniques, including the gathering and processing of evidence. Given the large number of Nigerian migrants in the UK, consideration is being given to providing support for Nigeria's immigration services.

## SECTION IV

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### Recommendations

#### A. NAPTIP and Law Enforcement Agencies

The trafficking situation in Nigeria is complex, especially given the cultural beliefs and public views of what constitutes trafficking, as well as attitudes that underpin household labor practices. The problem is not insurmountable as evidenced by the progress achieved over the last two years. Given funding limitations and time constraints, as well as the need for Nigeria to move off the Tier two watch list, the team is recommending that USAID's short-term interventions focus on increasing NAPTIP's and its supporting agencies' capacity to investigate and prosecute trafficking offenses. Success in these areas should provide a strong foundation for longer-term interventions aimed at prevention, protection and victim rehabilitation. Specific recommendations, which are elaborated below, include:

- √ Improved coordination of inter-agency anti-trafficking activities
- √ Development and implementation of operational plan/MOU between NAPTIP and the Nigeria Police Force, Department of Immigration Services, and Attorney General's Offices in key source and destinations States
- √ Specialized TIP and IT training for prosecutors, police, investigators, immigration officials, and judges, including the development of specialized operations manuals for law enforcement and "bench books" for judges
- √ Appropriate equipment for communications, surveillance and data collection (i.e. computers, generators, multi-band radios, V-Sat.)

*Improved coordination.* One of NAPTIP's most important roles is coordinating investigation and prosecution of trafficking offenses around the country, and supporting this role should be a key assistance priority. Management training is needed to enhance NAPTIP's institutional capacity to fulfill its coordination role and this training should focus on organizational aspects of managing multiple agency partnership, as well as spearheading interagency initiatives. Two NAPTIP staff members went on a study trip to the UK last year to learn about task force coordination and gained valuable knowledge in the process. Small in-house training is now needed to build upon this knowledge with a practical step-by-step plan for designating roles and responsibilities and implementing operational procedures for completing concrete anti-trafficking tasks. NAPTIP will need assistance in developing a framework for monitoring progress in joint operations to ensure that the plan is followed and adjustments are made, as needed.

NAPTIP also needs assistance in coordinating inter-agency funding requests, including advocacy training to engage with legislators to ensure adequate funding and cooperation to complete its assigned tasks. Given the paucity of funding and limited political will since its inception, NAPTIP will need assistance in building productive partnerships if it is going to succeed in reducing trafficking. In view of the need to amend certain sections of trafficking law and

implement broader criminal justice reform, NAPTIP will need assistance in developing coalitions within Government as well as across civil society actors.

*Operational Plan.* An operational plan is needed to ensure that all cooperating agency personnel understand their roles and responsibilities in implementing anti-trafficking activities. Step-by-step procedures need to be developed along with checklists that can easily be referred to and followed during investigations. Contingency plans for responding to jurisdictional overlaps are also needed with recommended courses of action to be followed.

*Specialized training.* Law enforcement officers need training to become proficient in detecting and investigating trafficking offences. All police and immigration officers should receive basic training on trafficking so they are able to recognize cases on the street and know where to refer cases for further investigation. In order to achieve this, trafficking needs to become part of the police academy and immigration officer training curriculum. Additionally, law enforcement officers need training in specialized investigative techniques. Finally, law enforcement personnel and prosecutors need to understand the factors motivating trafficking and become sensitive to victim perspectives so that more victims will be willing to provide testimony against traffickers. Being sensitive to victim's trauma, and refraining from blaming victims, may mean the difference between a winning or a losing case.

Prosecutors need assistance to improve case management techniques and prosecution methods. NAPTIP prosecutors, as well as prosecutors from the State's AG offices, need training on anti-trafficking statutes. Additionally, they need training in victim pathology, particularly the implications of post-traumatic stress syndrome, so that they are better able to protect victim-witnesses during trials.

It is especially important for law enforcement personnel and prosecutors to learn to adopt different approaches for dealing with child victim-witnesses, as opposed to adult victim-witnesses, during investigations and trials. Experience has shown that the methods used to procure children for trafficking are often different than those used for adults and that these differences will require a different investigative approach. Child protection is an area where NAPTIP and UNICEF have cooperated to develop a child emergency referral plan, and in implementing the plan, officers need to appreciate that children need additional protections and support to be able to give evidence in investigations and prosecutions without suffering further trauma.

Like prosecutors, judges also need to be sensitized to the causes and implications of trafficking, especially its gendered components, and to be sensitive to special needs of victim-witnesses. Given that most judges have little experience with trafficking cases and may rarely have a trafficking case before them, an anti-trafficking "bench book" could prove especially useful. Bench books are a "how-to" manual for judges that would contain relevant information on the anti-trafficking statutes, annotations to the law, commentary on the legal provisions, checklists for trial proceedings, special information on victims and psychological impact, and available referral agencies including shelters, counselors, NGOs and International Organizations. The bench books should be published and distributed to all judges with jurisdiction over trafficking cases.

Another possibility for consideration is specialized judicial appointments for trafficking cases. While this option could help to ensure that judges familiar with trafficking are actually the ones hearing the cases, there are dangers that traffickers could begin targeting these judges for blackmail and bribery once their identities were known.

As mentioned earlier, NAPTIP and its cooperating agency partners need assistance in increasing their funding levels. One way to increase funding for trafficking initiatives, while simultaneously providing a deterrent effect, might be to aggressively pursue the seizure of traffickers' assets. In this regard, law enforcement officers and prosecutors need specialized training to know the legal steps required to seize assets and to ensure that seizure actions are pursued consistently against all convicted traffickers.

*Equipment needs.* It is essential that NAPTIP and its cooperating agency partners have well-trained personnel and operational plans. However, the implementation of operational protocols requires equipment resources, especially communication and IT hardware and the generators and fuel to keep them operational. The anti-trafficking units need radio equipment, computers and V-Sat linkages to be able to conduct their investigations and communicate with one another. Law enforcement officers will need training to operate the equipment, including training on software applications and database management.

## **B. Lagos Shelter**

The USG has invested \$1 million in the Lagos victim shelter. NAPTIP is now managing the shelter and with some limited assistance should be able to provide the full range of victim care and rehabilitation services. Some recommended assistance items include:

- √ Staff training (trauma and post-traumatic stress disorders)
- √ Psychologist to oversee counseling staff
- √ Equipment for skills training unit
- √ In-door recreational facilities
- √ Supplemental food, toiletries, clothing, maintenance and fuel support

*Staff Training.* First, we are recommending that the NAPTIP zonal office staff should be removed from the shelter to its own separate location. A manager should be hired for the shelter, rather than having the NAPTIP zonal manager fulfill this role. The shelter manager needs to be skilled in facility management and budgeting. If a suitable candidate cannot be located with those skills, specialized training should be provided to ensure a competent manager. The existing counseling staff needs specialized training in trauma related to trafficking, especially post-traumatic stress disorder. A psychologist, at least on a temporary or as needed basis, is needed to oversee the shelter's counselors and to provide additional assessment and referral services.

*Skills training unit.* Skills training personnel and equipment are needed for the shelter's skills training unit. The identification of trainers and the purchase of equipment, however, should be guided by a market needs assessment so that residents are not frustrated by the lack of ability to

obtain employment after they are trained and released from the shelter. Job placement services should also be offered to assist residents in finding employment once they leave the facility.

*Recreational facilities.* As previously noted the shelter is located in a compound with no open areas. We are recommending, therefore, that an in-door recreational facility should be established so that residents, especially children, have an opportunity to exercise and participate in sports and games. We are also recommending that some minor changes to the facility (e.g., posters, art or wall decorations) could help improve the atmosphere and thereby add to the resident's psychological well-being.

*Supplemental funding.* NAPTIP needs to establish an emergency fund to provide for the periodic surges of victims seeking or requiring shelter services. NAPTIP should work over the next few years toward assuming full responsibility for all shelter operations. This process should be a step-by-step one over the next two to three years during which NAPTIP will increase its funding incrementally to cover all expenses. However, until that goal is achieved, NAPTIP needs to continue to cultivate donor and NGO assistance to ensure that victims are cared for.

### **C. Other relevant recommendations**

During the assessment, several needs were identified that did not fall within the scope of work. However, as these areas are relevant to combating trafficking, the team decided to present these recommendations in a residual "other" category. These include:

- √ Public education programs for decision makers and vulnerable groups
- √ Advocacy training for vulnerable groups – focus on secondary schools
- √ Research studies on internal trafficking, particularly of children
- √ Improving funding for witness support programs and investigations

*Public education.* Greater attention needs to be given to increasing public awareness about the nature of trafficking and the consequences of trafficking for victims. Indeed, as long as families believe it is appropriate to give or sell their children to traffickers in order for them to find a "better life abroad," trafficking will continue to flourish. Moreover, if victims continue to refuse to testify against traffickers, or view law enforcement officers, charged with implementing anti-trafficking activities, as interfering with their economic livelihood, the fight against trafficking is going to be difficult to win.

Greater attention also needs to be given to improving policy maker's awareness on trafficking issues. Most elected leaders and traditional rulers lack the knowledge necessary to implement state-level or local-level anti-trafficking campaigns, and we are recommending that a pilot project focused on changing local leaders' attitudes and perceptions about the status of women and children would help to deal with the problem at its source. We are recommending that such a project could be initiated in one endemic state, and that work should be done with local leaders and NGOs to design an anti-trafficking campaign that would reach vulnerable groups and the entire community.

*Advocacy training.* Additionally, as a useful component of the Mission's civil society work, advocacy training should be provided to increase NGO capacity to lobby local officials to

support anti-trafficking policy measures. This initiative could focus on vulnerable groups, such as secondary school students and might involve peer education and teacher training programs. Recognizing that the secondary school curricula are already extensive, anti-trafficking programs should be introduced as stand-alone lectures rather than a full course of study. The team is recommending that local experts and rehabilitated victims, who feel comfortable discussing their experiences, be enlisted to provide the lectures.

*Research.* Recognizing that very little research has been conducted in Nigeria to provide concrete data on the level of trafficking, trafficking patterns, vulnerability factors, and psychological impact, especially the domestic trafficking of children for labor purposes, the team is recommending that support be provided to research activities in source communities, among target victim groups to ensure that programming interventions are responding to verifiable needs.

*Witness support and protection.* Our assessment has identified a critical need to support and protect witnesses during investigations and trials. While witness support is not normally included as part of donor assistance, it is important to be aware of such needs as well as their constraining effects upon investigations and prosecutions. Some witnesses need assistance to travel to trial sites. Some may need to be encouraged and supported to provide testimony and evidence, while others may need to be protected against reprisals from arrested or convicted traffickers. Recognizing that witness testimony is absolutely vital to winning cases, NAPTIP and its cooperating law enforcement agency partners need to be encouraged to provide funds to meet these needs. As suggested earlier, proceeds from the sale of seized assets is an excellent source for such funds.



## ANNEX A

### Nigeria Anti-Trafficking Assessment Interviews

Organization	Position	Name(s)
International Office of Migration (IOM)	Chief of Mission	Tommaso De Caltado
NAPTIP	Executive Secretary Head of Public Relations Unit Head of Investigation and Monitoring Unit Head of Counseling and Rehabilitaiton Unit Head of Research and Planning Head of Legal and Prosecution	Mrs. Carol Ndaguba Mr. O. Arinze  Mr. Mohammed Babandede  Mrs. Oguejiofor  Mr. A. Kuffon Mr. U.S. Haruna
Nigerian Police force – Anti-Trafficking Unit	Head of AT Unit	Dorothy Gimba
Women Trafficking and Child Labor Eradication Foundation (WOTCLEF)	Legal Officer Counselor/Matron	Femi Olayemi and Nike Olajuyin
International Labor Organization (ILO)	National Program Manager	Dr. MacJohn Nwaobiala
Nigerian Immigration Service – TIP Unit	Comptroller	Rabiu Musa
US Embassy, Abuja	Political Officer	Richard W. Roesing, III
US Consulate General, Lagos	Economic Officer	Sara L. Litke
Human Development Initiatives (HDI)	Media/Public Relations Officer Senior Legal Officer	Itunuade Adio-Moses Ariyo Okunsanya
Federal Ministry of Justice	Special Assistant to Federal Attorney General	Prof. Yemi-Akinseye-George
NAPTIP – Benin Zonal Office	Head of Zonal Office	Mrs. A.O. Abiodun
Office of the Special Assistant to the President on Human Trafficking and Child Labor	Projects	Mrs. Abiola Uyigüe-Aiyela
NAPTIP – Lagos Zonal Office	Head of Zonal Office	Godwin E. Morka
NAPTIP – Lagos Shelter	Director and various staff members	Director and various staff members
UNICEF	Project Officer – Child Protection	Gbemisola Akinboyo
High Court of Benin City	Acting Chief Judge and six additional judges	Justice Omorodion, Acting Chief Judge

Nigerian Police Force – Lagos AT Unit	Head of AT Unit Member of AT unit Member of Benin City AT Unit currently assisting Lagos Unit	Ms. Saluna Obologn Nderami Nene Mwadialo
Nigerian Immigration Service – Kano AT Unit	Head of Unit	Mohammed Ali Mashi
IDIA Renaissance – Benin City	Project Director	Ms. Betty Amaroiji
NAPTIP – Edo State Shelter	Shelter Manager	Ms. Zaka
Lagos State Attorney General office	Solicitor General and Permanent Secretary Director of Public Prosecution Special Legal Advisor for Government	Fola Arthur-Worrey Bola Okikiolu-Ighile Ololade Salami
News Agency of Nigeria	Attended media event held to announce the launch of a media award in trafficking	Mr. Akin Osuntokun, Director Buki Ponle, Project Coordinator
British High Commission	Second Secretary (Political)	Neil Angell
Agency for African Families in Distress	Director/Psychologist	Chioma Ihuoma Igboegwu

## ANNEX B

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### Nigeria Trafficking in Person's Bibliography

Adoba, I. "U.S. Envoy Recommends Institute of Trafficking." This Day 21 March, 2005.

Afonja, Simi. *An Assessment of Trafficking in Women and Girls in Nigeria*, November 2001.

Africans Unite Against Child Abuse (AFRUCA). 2003. *Trafficking of African Children to the UK: Denouncing the Better Life Syndrome*. An Awareness Raising Seminar at the Excellence Hotel, Lagos, Nigeria.

*Agenda for Reforming the Justice Sector in Nigeria*, Federal Ministry of Justice, January 2004.

Aghatise, E. 2002. *Trafficking for prostitution in Italy: concept paper (EGM/TRAF/2002/EP.4)*.

"Combating Human Trafficking Scourge." 12 January, 2002.

"Girls for Sale- Building a Coalition to Fight Trafficking in Nigeria." The Advocacy Project.

Global News Digest. "*Human Trafficking: Nigeria Raising Stakes Against Offenders.*" Global News Digest 29 July, 2004.

ILO/IPEC (International Labor Organization/International Program for the Elimination of Child Labor). 2001. *Combating Trafficking in Children for Labor Exploitation in West and Central Africa*. Geneva: ILO.

International Organization for Migration. 1996. *Trafficking in Women to Italy for Sexual Exploitation*. Brussels: IOM.

"Italy, Nigeria Enhance Counter-Trafficking Cooperation." UN Information Service 31 March, 2004. [http://www.unicri.it/nigeria\\_website.htm](http://www.unicri.it/nigeria_website.htm)

Lawson, A. "Hopefully, the Beginning of the End for Child Traffickers." Inter Press Service News Agency 24 February, 2005.

Muhammed, Suleiman. "NAPTIP Sets Agenda, Prosecutes Traffickers." Daily Trust 5 July, 2004.

National News Agency address at the Media Encounter Heralding the Launch of the Media Merit Award in June, 2005. Address given by Mr. Akin Osuntokun, Director of NAN.

National Modular Child Labour Survey – Nigeria, 2000/2001, FOS/ILO/SIMPOC

NAPTIP publication – Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003

“Nigeria’s Other Export: A trade that cannot be curbed because so few Nigerians think it wrong.” The Economist 25 February, 2005.

Obasi, Charles. “New Twist in Human Trafficking Case.” Daily Champion 8 March, 2005.

Okojie, C. et al. 2003. *Program of Action against Trafficking in Minors and Young Women from Nigeria into Italy for the Purpose of Sexual Exploitation*. United Nations Interregional Crime and Justice Research Institute (UNICRI): Turin.

Olateru-Olagbegi, B., Afolabi, A. “Actual Women Situation in Nigeria.” Women, Law and Development in Africa 17 March, 2004.

Pearson, E. 2002. *Human Traffic Human Rights, Redefining Victim Protection*. Anti-Slavery International.

*Report of HDI Involvement in Sensitization Programme on Child Domestic/Trafficking*, a publication of Human Development Initiatives, 2005.

*Repro-Mat*, a Publication of Human Development Initiatives Vol. 6, No. 2, December, 2004.

Sita, N. 2003. *Trafficking in Women and Children: Situation and some trends in African Countries*. UNAFRI.

*Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003*. Enacted by the National Assembly of the Federal Republic of Nigeria.

Trafficking in Persons Report Nigeria (2004) - Tier Two Watch List, U.S. State Department.

*Tripartite Legal System Hinders Progress towards Gender Equality in Nigeria, Say Experts on Women’s Anti-Discrimination Committee*. 20 January, 2004. Press Release: United Nations Committee on the Elimination of Discrimination against Women 637<sup>th</sup> & 638<sup>th</sup> Meetings (AM & PM).

Ume-Ezeoke, J. 2004. *Desk Review for the Programme of Action against Trafficking in Minors and Young Women from Nigeria to Italy for the Purpose of Sexual Exploitation*. UNICRI/UNODC Project on Trafficking.

UNICEF. “Nigerian officials rescue more than 100 children from child traffickers.” UNICEF 9 March, 2005.

UNICEF Innocenti Research Centre. 2002. *Child Trafficking in West Africa: Policy Responses*. Tipografia Giuntina : Florence, Italy.

United Nations Committee on the Elimination of Discrimination against Women. 2003. *Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women: Nigeria (CEDAW/C/NGA/4-5)*.

UN Office for the Coordination of Humanitarian Affairs. "NIGERIA: Fighting the many heads of the child-trafficking beast." [IRINNEWS.COM](http://www.irinnews.com) 21 March, 2005.

United Nations Office of Drugs and Crime. 2005. United Nations Global Program Against Trafficking in Human Beings: Measures to Combat Trafficking in Benin, Nigeria and Togo. Research Activities Final Report.

United States Department of State. 2004. Human Rights Report Nigeria for the Year 2004. <http://www.state.gov/g/drl/rls/hrrpt/2004/41620.htm>

Uzoma, K. Smuggling in Nigerian Women. Brief Presentation.

WOTCLEF Information Booklet, Women Trafficking and Child Labour Eradication Foundation publication.

## ANNEX C

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### SUMMARY OF PROPOSED ACTIVITIES

#### A. NAPTIP

##### CAPACITY BUILDING

Activity	Details
Technical Assistance from Implementer	Provides technical assistance to support capacity building of NAPTIP
	Oversee development and implementation of operational plans and technical manuals for police and judges
Management Training	Multiple Agency Coordination Training
	Training for Interagency Coordination of their sub-units
Advocacy and Lobbying Training	To support legislative changes; judicial reform efforts; criminal justice reforms
National Monitoring Center	Providing V-Sat, additional computers, software
	Training on software and database management

##### ABILITY TO INVESTIGATE AND PROSECUTE

Activity	Details
Police Support/Training	Training in surveillance, evidence gathering, psychological aspects, IT, children
	Develop operational and technical manuals
Prosecutor Support/Training	Training in trafficking laws, case management techniques, handling of victim-witnesses
Judge Training and Bench Book	Training in victim protection and handling; trafficking laws; psychological aspects
	Develop and distribute anti-trafficking bench book
Equipment	Satellites, computers, software and database systems, generators for AT Units

## B. LAGOS SHELTER

Activity	Details
Shelter Manager	Ensure that NAPTIP hires a Shelter Manager
	Train Shelter Manager in Management and Trafficking Issues
Counselors	Retain Psychologist on part-time basis to supervise counselors and provide additional services
	Train counselors in trafficking related traumas
Skills training Center	Equip Skills Center
	Implement skills training program
Budgetary and other Needs	Provide supplemental funding for food, toiletries, clothing, etc.
	Provide in-door recreational facilities